

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

061170.0095 [JUSL-121]

**10/528535**

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hear by certify that the attached papers are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on March 21, 2005 and is addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

ED 065083640 US

"Express Mail Label No."

*Angelo J. Mignanelli*  
Angelo J. Mignanelli

U.S. APPLICATION NO.

(if known, see 37 CFR 1.5)

To be assigned

INTERNATIONAL APPLICATION NO

PCT/GB2003/004083

INTERNATIONAL FILING DATE

19 September 2003

PRIORITY DATE CLAIMED

21 September 2002

**TITLE OF INVENTION**

NON GELATIN FILMS WITH IMPROVED BARRIER PROPERTIES

**APPLICANTS FOR DO/EO/US**


NOWAK, Edward Zbygniew

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PTO Form 1449 with 7 References Cited and Return Postcard.

<b>U.S. APPLICATION NO.</b> (if known, see 37 CFR 1.50) To be assigned <b>10/528535</b>		<b>INTERNATIONAL APPLICATION NO.</b> PCT/GB2003/004083		<b>ATTORNEY'S DOCKET NUMBER</b> 061170.0095 [JUSL-121]	
				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> The following fees are submitted: <input checked="" type="checkbox"/> Basic National Stage Fee \$300				\$300.00	
22. <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$200.00	
23. <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.445(1)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500				\$500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$1000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or compute program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	RATE		
-100	/50=		X\$250	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	28-20 =	8	x \$50.00	\$400.00	
Independent Claims	7-3 =	4	x \$200.00	\$800.00	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$2690.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$0.00	
<b>SUBTOTAL =</b>				<b>\$2690.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$0.00
<b>TOTAL NATIONAL FEE =</b>				<b>\$2690.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				<b>\$2690.00</b>	
				Amount to be refunded	\$
				Amount to be charged	\$2690.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1133</u> in the amount of \$2690.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1133</u> . A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
<b>SEND ALL CORRESPONDENCE TO:</b> <b>Customer Number 23630</b> <b>Telephone: 617-535-4049</b> <b>Facsimile: 617-535-3800</b>					
			SIGNATURE		
			NAME	Simona A. Levi-Minzi, Ph.D.	
			REGISTRATION NUMBER	43,750	

10/528535

JC05 Rec'd PCT/PTO 21 MAR 2005  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Edward Zbygniew Nowak

**Serial No:** To be assigned

**Filing Date:** Herewith

**Title:** NON GELATIN FILMS WITH IMPROVED BARRIER PROPERTIES

**Docket No:** 061170.0095 (JUSL-121)

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"Express Mail Label No."

  
Angelo L. Mignafelli

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**MAIL STOP PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Enclosed herewith for filing in connection with the above-identified patent application are the following documents.:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371;
2. A copy of the published PCT application (WO 2004/026284 A1) for PCT/GB2003/004083;
3. Preliminary Amendment;
4. Unexecuted Declaration and Power of Attorney form;
5. Information Disclosure Statement;
5. PTO Form 1449 (2 pages) and copies of 7 references cited; and
7. Return Postcard.

10/528535

JC05 Rec'd PCT/PTO 21 MAR 2005

No fee is believed to be required; however, if a fee is required, or otherwise necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our Deposit Account No. 50-1133.

Respectfully submitted,



Simona A. Levi-Minzi, Ph.D.  
Reg. No. 43,750  
Attorney for Applicant

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Date: March 21, 2005